

1 STEVEN H. GURNEE, ESQ. SB# 66056
2 DAVID M. DANIELS, ESQ. SB# 170315
2 NICHOLAS P. FORESTIERE, ESQ. SB# 125118
3 GURNEE & DANIELS LLP
3 2240 Douglas Boulevard, Suite 150
4 Roseville, CA 95661-3805
4 Telephone (916) 797-3100
5 Facsimile (916) 797-3131

5 Attorneys for Defendants

6 ALDERWOODS GROUP, INC., PAUL A.
7 HOUSTON, SERVICE CORPORATION
8 INTERNATIONAL, SCI FUNERAL AND
9 CEMETERY PURCHASING COOPERATIVE, INC.,
10 SCI EASTERN MARKET SUPPORT CENTER, L.P.,
SCI WESTERN MARKET SUPPORT CENTER, L.P.
a/k/a SCI WESTERN MARKET SUPPORT CENTER, L.P.

11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 CLAUDE BRYANT, CRAIG FULCHER,) No. 3:07-CV-5696-SI
16 SANFORD LEVINE and THOMAS)
17 THOMPSON et al., on behalf of themselves)
and all other employees and former employees)
similarly situated,)
19 Plaintiffs,)
20 vs.)
21 ALDERWOODS GROUP, INC., PAUL A.)
HOUSTON, SERVICE CORPORATION)
INTERNATIONAL, SCI FUNERAL AND)
CEMETERY PURCHASING)
COOPERATIVE, INC., SCI EASTERN)
24 MARKET SUPPORT CENTER, L.P. SCI)
WESTERN MARKET SUPPORT CENTER,)
L.P. a/k/a SCI WESTERN MARKET)
SUPPORT CENTER, INC., SCI HOUSTON)
MARKET SUPPORT CENTER, L.P., and)
JOHN DOES 1-3, et al.)
28 Defendants.)

**DECLARATION OF JANET KEY IN
SUPPORT OF SERVICE
CORPORATION INTERNATIONAL'S
MOTION TO DISMISS AMENDED
COMPLAINT PURSUANT TO FRCP
12(b)(2) and 12(b)(6)**

1 I, Janet Key, hereby specially appear in this matter in support of Service
2 Corporation International's motion to dismiss the Amended Complaint and submit the
3 following declaration under penalty of perjury:

4 1. I am a resident of Cypress, Texas.

5 2. I am employed by SCI Funeral & Cemetery Purchasing Cooperative, Inc. as
6 Senior Legal Assistant, and am also its Corporate Secretary. As part of my job duties, I
7 am familiar with the corporate structure of Service Corporation International ("SCI").

8 3. SCI is a publicly held Texas corporation whose stock is traded on the New
9 York Stock Exchange.

10 4. SCI has no employees; rather, it is a holding company only.

11 5. SCI's corporate headquarters and only offices are located in Houston,
12 Texas.

13 6. SCI is not licensed and does not conduct any business in the State of
14 California.

15 7. SCI is not party to any contracts, employment or otherwise, with any of the
16 plaintiffs in this action.

17 8. SCI has never employed or supervised the employment of any of the
18 plaintiffs herein.

19 9. SCI does not maintain an office nor held any bank accounts within the State
20 of California.

21 10. SCI does not own any real property in the State of California.

22 11. SCI does not pay any taxes to the State of California.

23 12. SCI does not manage the business activities of any funeral establishment,
24 cemetery or other local facility in the State of California that is owned or operated by any
subsidiary of SCI.

25 13. SCI does not hire, supervise or terminate any employees of any funeral
26 establishment, cemetery or other local facility within the State of California that is owned
27 or operated by a subsidiary of SCI.

28 ///

1 14. I make this declaration based upon my own personal knowledge. If called
2 upon to testify about the matters set forth herein, I could and would do so.

I declare under penalty of perjury under the laws of the United States
that the foregoing is true and correct to the best of my knowledge. Executed this 24/4
day of MARCH, 2008, in Houston, Texas.

Janet Key
JANET KEY